

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

vs.

ULRICK LUIS RODRIGUEZ aka
ULRICK LOUIS RODRIGUEZ aka
LOUIS MARTINEZ aka
MIGUEL HERNANDEZ-LOPEZCASE NUMBER: 3:10-CR-131-LRH(VPC)
USM NUMBER: 45547-048Cynthia Hahn, AFPD

THE DEFENDANT:

DEFENDANT'S ATTORNEY

- (☒) pled guilty to Count(s) One of the Indictment filed 11/17/10
- () pled nolo contendere to count(s) _____ which was accepted by the court.
- () was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Ended</u>	<u>Count</u>
18 U.S.C. 922(g)(1) and 924(a)(2)	Felon in Possession of a Firearm	11/3/10	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- () The defendant has been found not guilty on count(s) _____
- () Count(s) _____ (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

AUGUST 22, 2011

Date of Imposition of Judgment

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
AUG 24 2011	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY



Signature of Judge

LARRY R. HICKS
U.S. DISTRICT JUDGE

Name and Title of Judge

8-24-11

Date

AO 245B (Rev. 09/08) Judgment in a Criminal Case
Sheet 2 - Imprisonment

DEFENDANT: ULRICK LUIS RODRIGUEZ aka Ulrick Louis Rodriguez aka Louis Martinez aka Miguel Hernandez-Lopez Judgment - Page 2
CASE NUMBER: 3:10-CR-131-LRH(VPC)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: THIRTY SEVEN (37) MONTHS

☒ The court makes the following recommendations to the Bureau of Prisons:

FCI SHERIDAN, OR

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./p.m. on _____
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation of Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

BY: _____
Deputy United States Marshal

AO 245B (Rev 09/08) Judgment in a Criminal Case
Sheet 3 - Supervised Release

DEFENDANT: ULRICK LUIS RODRIGUEZ aka Ulrick Louis Rodriguez aka
Louis Martinez aka Miguel Hernandez-Lopez
CASE NUMBER: 3:10-CR-131-LRH(VPC)

Judgment - Page 3

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3) YEARS

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 drug tests annually. Revocation is mandatory for refusal to comply.

- () The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- (√) The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- (√) The defendant shall cooperate in the collection of DNA as directed by the probation office. (Check, if applicable.)
- () The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) As directed by the probation office, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- () The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation office;
- 2) the defendant shall report to the probation office and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation office and follow the instructions of the probation office;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation office for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation office at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation office;
- 10) the defendant shall permit a probation office to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation office;
- 11) the defendant shall notify the probation office within seventy-two hours of being arrested or questioned by a law enforcement office;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation office, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation office to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 09/08) Judgment in a Criminal Case
Sheet 3 - Supervised Release

DEFENDANT:	ULRICK LUIS RODRIGUEZ aka Ulrick Louis Rodriguez aka Louis Rodriguez aka Miguel Hernandez-Lopez	Judgment - Page <u>4</u>
CASE NUMBER:	3:10-CR-131-LRH(VPC)	

SPECIAL CONDITIONS OF SUPERVISION

1. Possession of Weapon - The defendant shall not possess, have under his/her control, or have access to any firearm, explosive device, or other dangerous weapons, as defined by federal, state or local law.
2. Immigration Compliance - If defendant is deported, he shall not reenter the United States without legal authorization.
3. True Name - The defendant shall use his true name at all times and will be prohibited from the use of any aliases, false dates of birth, social security numbers, places of birth, and any other pertinent demographic information.
4. Report to Probation Office After Release from Custody - The defendant shall report in person to the probation office in the District to which the defendant is released within 72 hours of release from custody.

AO 245B (Rev 09/08) Judgment in a Criminal Case
 Sheet 5 - Criminal Monetary Penalties

DEFENDANT: ULRICK LUIS RODRIGUEZ aka Ulrick Louis Rodriguez aka Louis Martinez aka Miguel Hernandez-Lopez Judgment - Page 5
 CASE NUMBER: 3:10-CR-131-LRH(VPC)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$100.00	\$WAIVED	\$N/A
	Due and payable immediately.		

- () On motion by the Government, IT IS ORDERED that the special assessment imposed by the Court is remitted.
- () The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- () The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss</u>	<u>Restitution Ordered</u>	<u>Priority of Percentage</u>
Clerk, U.S. District Court Attn: Financial Office Case No. 3:10-CR-131-LRH(VPC) 333 Las Vegas Boulevard, South Las Vegas, NV 89101			

TOTALS : \$ _____ \$ _____

Restitution amount ordered pursuant to plea agreement: \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the: () fine () restitution.
 the interest requirement for the: () fine () restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev 09/08) Judgment in a Criminal Case
Sheet 6 - Schedule of Payments

DEFENDANT: ULRICK LUIS RODRIGUEZ aka Ulrick Louis Rodriguez aka Louis Martinez aka Miguel Hernandez-Lopez Judgment - Page 6
CASE NUMBER: 3:10-CR-131-LRH(VPC)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
() not later than _____; or
() in accordance with () C, () D, or () E below; or
- B () Payment to begin immediately (may be combined with () C, () D, or () E below; or
- C () Payment in _____ (e.g., weekly, monthly, quarterly) installments of \$ _____
_____ over a period of _____ (e.g. months or years), to _____ (e.g., 30 or 60 days)
after the date of this judgment; or
- D () Payment in _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____
_____ (e.g., months or years), to _____ (e.g., 30 or 60 days) after release from imprisonment to a term
is supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release
from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at
that time; or
- F () Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

() Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

() The defendant shall pay the cost of prosecution.

() The defendant shall pay the following court cost(s):

☒ The defendant shall forfeit the defendant's interest in the following property to the United States:
SEE ATTACHED PRELIMINARY ORDER OF FORFEITURE

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

3:10-CR-131-LRH (VPC)

11 ULRICK LUIS RODRIGUEZ, aka)
12 ULRICK LOUIS RODRIGUEZ, aka)
13 LOUIS MARTINEZ, aka)
14 MIGUEL HERNANDEZ-LOPEZ,)

Defendant.)

15 PRELIMINARY ORDER OF FORFEITURE

16 This Court finds that on April 25, 2011, defendant ULRICK LUIS RODRIGUEZ, aka
17 ULRICK LOUIS RODRIGUEZ, aka LOUIS MARTINEZ, aka MIGUEL HERNANDEZ-LOPEZ,
18 pled guilty to Count One of a One-Count Criminal Indictment charging him with Possession of a
19 Firearm by a Convicted Felon, in violation of Title 18, United States Code, Sections 922(g)(1) and
20 924(a)(2).

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
22 America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
23 Criminal Indictment and the offense to which defendant ULRICK LUIS RODRIGUEZ, aka ULRICK
24 LOUIS RODRIGUEZ, aka LOUIS MARTINEZ, aka MIGUEL HERNANDEZ-LOPEZ, pled guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
26 924(d) and Title 28, United States Code, Section 2461(c):

- 1 a. a Colt, .22 caliber semi-automatic pistol, serial number 106172 and magazine;
2 and
3 b. any and all ammunition ("property").

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 ULRICK LUIS RODRIGUEZ, aka ULRICK LOUIS RODRIGUEZ, aka LOUIS MARTINEZ, aka
10 MIGUEL HERNANDEZ-LOPEZ, in the aforementioned property is forfeited and is vested in the
11 United States of America and shall be safely held by the United States of America until further order
12 of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
15 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
16 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
17 the name and contact information for the government attorney to be served with the petition, pursuant
18 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
20 with the Clerk of the Court, 400 South Virginia Street, Reno, Nevada 89501.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
23 following address at the time of filing:

24 Greg Addington
25 100 West Liberty Street, Suite 600
26 Reno, NV 89501

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 2nd day of May, 2011.

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10 LARRY R. HICKS
11 UNITED STATES DISTRICT JUDGE
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